

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JAMES DOUGLAS SMITH,

Plaintiff,

v.

WTVF CHANNEL 5 NEWS,

Defendant.

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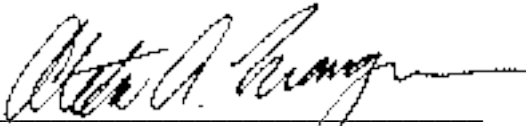
Civil No. 3:08-0761
Judge Trauger

ORDER

On April 23, 2009, the magistrate judge entered a Report and Recommendation (Docket No. 8), to which no timely objections have been filed. The Report and Recommendation is therefore ACCEPTED and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby ORDERED that this case is DISMISSED pursuant to 28 USC §1915(e)(2)(B). Any appeal will be certified as not taken in good faith pursuant to 28 USC § 1915(a)(3).

It is so **ORDERED**.

Enter this 11th day of May 2009.



ALETA A. TRAUGER
U.S. District Judge